

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chai Wah Wu

Serial No.: 10/725,382

Group Art Unit: 3623

Filed: December 3, 2003

Examiner: Sterrett, J.G.

For: **METHOD AND STRUCTURE FOR PRIVACY PRESERVING DATA MINING**

Commissioner for Patents
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT/
ELECTION OF SPECIES**

Sir:

In response to the Office Action dated July 20, 2009, in the above-referenced Application, wherein the Examiner used a Notice of Non-Compliant Amendment to issue a restriction requirement, alleging that claims 39, 42, and 45 constitute patentably distinct invention I and claims 48, 50, 51, and 52 constitute patentably distinct invention II, Applicant responds as follows.

First, in order to comply with the statutory requirement that Applicant make an election, Applicant hereby elects invention I (claims 38, 42, 45, as well as method claim 1), with traverse, since the Examiner's own characterization of these claim sets does not in any way make these claims mutually exclusive, as is required for species, because a survey involving an addition of a perturbation vector to an indicator vector can be used in a survey using a perturbed contents of a bin. All independent claims refer to the generic perturbing mechanism that is described in the specification.

Second, Applicant brings to the Examiner's attention that a Notice of Non-Compliant Amendment is not the proper mechanism for imposing a Restriction Requirement. Indeed, it is uncertain whether the election response herein should be filed

as a response to a Notice of Non-Compliant Amendment or as a response to a Restriction Requirement.

Early, favorable prosecution on the merits is respectfully requested.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A conditional petition is made for any extension of time which may become necessary. The Commissioner is authorized to charge any fees for such extension and to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Frederick E. Cooperrider', with a stylized flourish at the end.

Frederick E. Cooperrider
Reg. No. 36,769

Date: August 20, 2009
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